

Message Text

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ACTION DLOS-06

INFO OCT-01 IO-13 ISO-00 FEA-01 ACDA-07 AGR-05 AID-05

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DOT-00 EB-07 EPA-01 ERDA-05 FMC-01 TRSE-00 H-02

INR-07 INT-05 JUSE-00 L-03 NSAE-00 NSC-05 NSF-01

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C O N F I D E N T I A L USUN 3462

FROM: LOS DEL

E.O. 11652: GDS

TAGS: PLOS

SUBJECT: LOS CONFERENCE: COMMITTEE I DEBATE ON AUGUST 24

SUMMARY: COMMITTEE I WORKSHOP AGREED TO FORMATION OF SMALL
NEGOTIATION GROUP ON AUGUST 24, BUT G-77 HAS BEEN UNABLE TO
AGREE ON ITS PARTICIPANTS. END SUMMARY.

1. COMMITTEE I WORKSHOP BEGAN ITS SESSION AUGUST 24 WITH
CONTINUATION OF GENERAL DEBATE ON SYSTEM OF EXPLOITATION.
NORTH KOREA, TUNISIA, AND IRAN INTERVENED IN SUPPORT OF
G-77 PROPOSAL. TUNISIA MADE THE MOST DETAILED PRESENTATION
AND EMPHASIZED: (A) EXPLOITATION OF THE AREA SHOULD NOT BE
MONOPOLY OF ANY ONE STATE OR GROUP OF STATES BUT SHOULD BE
"COLLECTIVIZED;" (B) PRODUCTION FROM THE AREA SHOULD BE
PLANNED AND ACCESS CONTROLLED BY THE AUTHORITY; (C) THE
ENTERPRISE, AS "THE REPRESENTATIVE OF MANKIND," MUST BE THE
INSTRUMENT OF EXPLOITATION.

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2. THE UK AND THE FRG EXPLICITLY SUPPORTED THE US PROPOSAL AND EMPHASIZED THAT EXPLOITATION WOULD ONLY TAKE PLACE IF SUFFICIENT INCENTIVES FOR STATE AND PRIVATE INVESTORS WERE WRITTEN INTO THE TREATY.

3. BELGIUM, IN AN APPARENT ATTEMPT TO ESTABLISH A MIDDLE POSITION, STATED THAT STATES AND OTHER ENTITIES AS WELL AS THE ENTERPRISE MUST HAVE ACCESS TO SEABED RESOURCES BUT ADDED THAT ACCESS SHOULD NOT BE AUTOMATIC. BELGIUM ALSO STATED THAT IT WAS "CONTRARY TO THE COMMON HERITAGE OF MANKIND" FOR THE AREA TO BE DIVIDED INTO SEPARATE SECTORS FOR EXPLOITATION BY STATES AND THEIR ENTITIES ON ONE HAND AND THE AUTHORITY ON THE OTHER.

4. WITH THE CONCLUSION OF THE GENERAL DEBATE ON SUBSTANCE, THE DISCUSSION TURNED TO THE ESTABLISHMENT OF A MECHANISM FOR NEGOTIATIONS. MEXICO PROPOSED SETTING UP ON AN EXPERIMENTAL BASIS A GROUP OF ABOUT 20 COUNTRIES DRAWN EQUALLY FROM THE G-77 AND THE INDUSTRIALIZED STATES IN WHICH PARTICIPANTS WOULD ACT INDIVIDUALLY AND NOT AS DELEGATES OR REPRESENTATIVES OF GROUPS. THE DISCUSSIONS WOULD BE HELD IN PUBLIC AND ALL MEMBERS OF COMMITTEE I WHETHER OR NOT THEY WERE IN THE GROUP WOULD HAVE THE RIGHT TO INTERVENE. ALL DECISIONS WOULD BE AD REFERENDUM. NIGERIA, BRAZIL, THE UK, GUATEMALA, AND THE US SUPPORTED THIS PROPOSAL. THE UKRAINE AND BULGARIA EXPRESSED UNHAPPINESS THAT THE SOCIALIST STATES WERE LUMPED IN WITH THE "CAPITALISTS" INSTEAD OF BEING CONSIDERED AS A SEPARATE CATEGORY BUT INDICATED THEY WOULD GO ALONG WITH THE MEXICO PROPOSAL. THERE WAS SOME DEBATE ABOUT WHICH OF THE FOUR DRAFTS (G-77, US, USSR, RSNT) SHOULD BE THE BASIS FOR NEGOTIATIONS. THE US (RATINER) INTERVENED TO STATE THAT ALL GROUPS COULD NEGOTIATE ON THE BASIS OF ANY OF THE DRAFT ARTICLES, AND THAT THIS ISSUE SHOULD NOT HOLD UP ESTABLISHMENT OF THE GROUP. NO OBJECTION WAS MADE TO THIS SUGGESTION, AND THE CO-CHAIRMEN UNDERTOOK TO PREPARE A LIST OF SUGGESTED PARTICIPANTS IN THE NEGOTIATING GROUP AND PRESENT IT TO THE WORKSHOP AT THE AFTERNOON SESSION. THE CO-CHAIRMEN PREPARED A LIST OF 25 (12 G-77, 12 INDUSTRIAL, PLUS THE PRC), BUT IN INFORMAL CONSULTATION

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THE G-77 WAS UNABLE TO AGREE ON THE LIST OR COME UP WITH SUBSTITUTIONS. THE QUESTION WAS PUT OVER UNTIL AUGUST 25.

5. COMMENT: THIS NEGOTIATING GROUP "IN THE ROUND" WILL, IF IT EVER GETS STARTED, BE A NEW DEPARTURE FOR COMMITTEE I DISCUSSIONS. WE HAVE NO IDEA IF IT WILL LEAD TO SERIOUS NEGOTIATIONS, BUT IT CANNOT BE LESS PRODUCTIVE THAN THE CURRENT ARRANGEMENT.

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